IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition No. 669 of 2006 (M/B)

Sanjay Kamboj S/o Ved Prakash
R/o Village Bhogpur, Tehsil Behat,
P.S. Fatehpur,
District Saharanpur (U.P.) ..... Petitioner

Versus

1. State of Uttaranchal through
   Senior Superintendent of Police,
   Haridwar
2. Anil Kumar Joshi, Station House Officer,
   P.S. Manglor,
   District Haridwar ..... Respondents

.....

Sri Navneet Kaushik, Advocate for the petitioner.
Sri H.C.Pande, A.G.A. for respondents.

JUDGMENT

Coram: Hon'ble Rajeev Gupta, C.J.
Hon'ble Prafulla C. Pant, J.

RAJEEV GUPTA, C. J. (Oral)

Sri Naveent Kaushik, the learned counsel for the petitioner.

Sri H.C.Pande, the Addl. Government Advocate for respondents.

They are heard.

2. Petitioner Sanjay Kamboj is seeking quashing of the First Information Report registered against him at Crime No. 97 of 2006 at P.S. Manglaur, District Haridwar for the alleged commission of the offences punishable u/Ss 120-B read with Section 302 and Section 115 I. P. C.

3. According to the First Information Report, the petitioner is projected as an associate of one Sher Singh Rana (who is facing trial for the alleged commission of murder of a Member of Parliament, namely, Phoolan Devi). In the said murder trial, one Smt. Uma Kashyap is the main witness and the accused persons including the petitioner are alleged to have hatched a conspiracy to commit the murder of the said witness Smt. Uma Kashyap. The petitioner's co accused Anuj Pundir, on interrogation informed that the murder of Uma Kashyap was to be got executed through three persons,

namely, petitioner Sanjay Kamboj, Bablu alias Javed Ansari, and one Shakti Puri.

4. During the course of hearing, it also transpired that the petitioner has past criminal record also.

5. On due consideration of the submissions of the learned counsel for the parties; the background of the alleged offence and the cumulative nature of the allegations against the accused persons, we are of the opinion that it is not a fit case warranting quashing of the First Information Report and the case registered against the petitioner.

6. The petition, therefore, fails and is hereby dismissed summarily.

7. Consequently, CLMA No. 6788 of 2006 also stands dismissed.

(Prafulla C. Pant, J.) 09.06.2006

(Rajeev Gupta, C. J.) 09.06.2006

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